

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

ACCESS ORGANICS, INC.,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. M-09-122
	§	
BIG BOY PRODUCE, L.P., <i>et al</i> ,	§	
	§	
Defendants.	§	

FINAL JUDGMENT

This matter came before the Court for trial on June 28, 2010. The parties appeared by and through their attorneys of record and announced ready. Thereafter, the matter proceeded to trial before the Court. Access Organics, Inc. (“Plaintiff”), presented evidence and rested. Big Boy Produce, L.P. (“BBP”), Garrett Mann Management, LLC (“GMM”), D. Salinas Management, LLC (DSM”), and Garrett E. Mann and Daniela Salinas a/k/a Daniela Stromberg (collectively, the “Principals”)(BBP, GMM, DSM and the Principals are collectively referred to herein as the “Defendants”) presented evidence and rested. The parties then closed and argued the evidence. On August 12, 2010, the Court issued its Findings of Fact and Conclusions of Law. In conformity with the Court’s findings of fact and conclusions of law, this Court decrees as follows:

1. The Plaintiff is a qualified beneficiary of the trust imposed on the Defendants’ assets pursuant to 7 U.S.C. § 499e (the “PACA”) and, as such, is entitled to this judgment against the Defendants, on a joint and several basis, in the current amount of \$97,452.86 (the “Judgment Amount”), consisting of the following component amounts:

\$ 41,579.00 - Unpaid produce invoices

\$ 19,142.13 - Pre-judgment interest thereon 1.5% per month (18% APR) from May 19, 2008 through the date of judgment;

\$ 4,031.73 - Court- approved costs

\$ 32,700.00 - Court-approved attorneys' fees

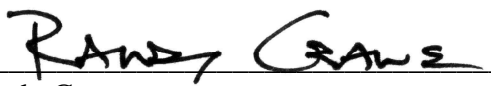
\$ 97,452.86

2. Post-judgment interest on this Judgment Amount shall continue to accrue at the parties' contract rate of 1.5% per month (18% APR) from the date of the Defendants fully satisfy the Judgment Amount.

3. At all times relevant to the Plaintiff's claims, each of the Principals was in a position to control the PACA trust assets and, as such, are personally liable to the Plaintiff for the full amount of the Judgment Amount, plus all post-judgment interest at the parties' Court-approved contract rate.

4. This Judgment disposes of all claims between all parties, is final, and is now subject to appeal to a higher court.

SO ORDERED this 19th day of August, 2010, at McAllen, Texas.



Randy Crane
United States District Judge